IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

TUESDAY, THE 19TH JUNE 2007 / 29TH JYAISHTA 1929

Bail Appl..No. 3694 of 2007()

CRIME NO.60 OF 2007 OF AGALI POLICE STATION

: PETITIONER/ACCUSED NOS.1 TO 7

---

1. MOOSA, AGED 40, S/O. MOIDEEN,
KAMPARAN HOUSE, PUTHUR, PALAKKAD.

2. RASAQ, AGED 37, S/O. MOIDEEN,
-DO- -DO-

3. MUJEED, AGED 35, S/O. YUSUF,
UMMATHUMPADI, PUTHUR.

4. ASSAIN, AGED 32,
KAMPARAN HOUSE, PUTHUR.

5. YUSUF, AGED 55,
UMMATHUMPADI, PUTHUR.

6. RAJAN, AGED 28, S/O. MANIYAN,
PUTHUR HOUSE, PUTHUR.

7. JOHN, AGED 55,
UMMATHUMPADI, PUTHUR.

BY ADV. SRI.MANSOOR.B.H.

RESPONDENTS: COMPLAINANT

STATE OF KERALA, REPRESENTED BY
SUB INSPECTOR OF POLICE, AGALI POLICE STATION,
(CRIME NO.60 OF 2007), AGALI, PALAKKAD,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.S.U.NAZER

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 19/06/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

B.A.No.3694 of 2007

Dated this the 19th day of June, 2007

ORDER

Application for anticipatory bail. Petitioners are accused 1 to 7. They initially faced allegations under Section 324 I.P.C only. They had surrendered before the police. They were enlarged on bail. Subsequently, allegations have been raised under Section 326 I.P.C also. The petitioners apprehend that they may be arrested again by the police.

2. The learned Public Prosecutor after taking instructions submits that though it is true that the section of the offence has been altered and the allegation of the petitioners of having committed the graver offence under Section 326 I.P.C has been raised, the police have no intention of rearresting the petitioners. The petitioners have already been arrested and it is not necessary for the purpose of investigation now to rearrest them.

3. That submission of the learned Public Prosecutor is taken note of and recorded. It is now evident that the apprehension of the petitioners is without basis.

4. This Bail Application is, in these circumstances, dismissed.

(R.BASANT, JUDGE)

rtr/-